

### **REMARKS**

With the foregoing amendment claims 1-27 are pending in the application. Claims 7, 10, 13, 14, 16, 19 and 20 are amended. And claims 21-27 are added. Claims 1, 7, 13 and 21 are independent. No new matter has been added by the amendments.

#### **Allowable Subject Matter**

Applicants thank the Examiner for indicating that claims 1-5 are allowed and claim 14 would be allowable if re-written in independent form.

#### **First Claim Rejection(s) Under 35 U.S.C. 112.**

Claim 6 stands rejected under 35 U.S.C. 112, first paragraph. The Office contends, "an image sensor cannot have both pixels and film." However, the Office provides no basis for this contention.

Applicants submit that the Office's contention that "an image sensor cannot have both pixels and film" is incorrect. Applicants respectfully submit that an image sensor that comprises film may also comprise pixel elements. More specifically, Applicants submit that film (like a CCD or any other image sensor) may comprise a plurality of pixel elements (i.e., picture elements). See para [0015] of the present application ("The film may comprise a plurality of pixel elements (i.e., picture elements) to be exposed"). Accordingly, the Office's contention that "an image sensor cannot have both pixels and film" is incorrect because film may include pixel elements. For example, film may include picture elements, such as silver crystals, that react to light. Therefore, Applicants respectfully request that the rejection of claim 6 be withdrawn.

#### **Second Claim Rejection(s) Under 35 U.S.C. 112.**

Claim 10 stands rejected under 35 U.S.C. 112, second paragraph. Applicants respectfully submit that this rejection is now moot in view of the amendments made to claim 7.

**First Claim Rejection(s) Under 35 U.S.C. 102.**

Claims 7, 11 and 12 stand rejected under 35 U.S.C. 102 as being anticipated by Suzu.

Applicants respectfully traverse.

Claim 7 has been amended to recite that the image capturing device includes a shutter device comprising a set of “individually addressable and actuatable shutter elements.” Claim 7 also recites (1) “[a] first subset of pixel elements is associated with a first subset of said shutter elements and said capturing step comprises actuating only said first subset of said shutter elements” and (2) “[a] second subset of pixel elements is associated with a second subset of said shutter elements and said [second] capturing step comprises actuating only said second subset of said shutter elements, wherein said first subset of shutter elements is different than said second subset of shutter elements.” The above features are not disclosed in Suzu or in any of the other art of record. Accordingly, Applicants respectfully request that claim 7 be indicated as allowable.

With respect to claims 11 and 12, these claims depend from claim 7 and are patentable for at least the same reason given above.

With respect to claims 8-10, these claims also depend from claim 7 and are patentable for at least the same reason given above.

**Second Claim Rejection(s) Under 35 U.S.C. 102.**

Claims 13 and 15-20 stand rejected under 35 U.S.C. 102 as being anticipated by Sato. Applicants respectfully traverse.

Sato does not anticipate claim 13 because Sato does not disclose all of the features recited in claim 13. For example, at the least, Sato does not disclose a method comprising the steps of “in response to a single press of a shutter button, (a) capturing a first image by exposing a first subset of said pixel elements, wherein the first image includes an image of the first object; and (b) after capturing the first image, capturing a second image by exposing a second subset of said pixel elements, wherein the second image includes an image of the second object and wherein said first subset of pixel elements is different than said second subset of pixel images,” as is recited in claim 13.

Sato discloses capturing only a single image in response to the press of the shutter button. That is, Sato does not disclose a camera in which, in response to the press of a shutter button, the camera first captures a first image and then captures a second image after capturing the first image. Thus, Sato does not anticipate claim 13. Accordingly, Applicants request the rejection of claim 13 be withdrawn.

With respect to claims 15-20, these claims depend from claim 13 and are patentable for at least the same reason given above.

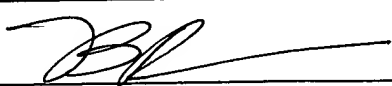
### **New Claims**

New claims 21-27 are added. Claim 21 corresponds to claim 14 re-written in independent form. Claims 22-27 depend from claim 21. Thus, claims 21-27 are allowable.

### **CONCLUSION**

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections, and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

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